

E-File

Date of Deposit: August 6, 2008

Attorney Docket No. 22058-544 (AM100664)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Warne, *et al.*

SERIAL NUMBER: 10/663,264

EXAMINER: Bruce D. Hissong

FILING DATE: September 16, 2003

ART UNIT: 1646

TITLE: DELAYED RELEASE FORMULATIONS FOR ORAL ADMINISTRATION OF A
POLYPEPTIDE THERAPEUTIC AGENT AND METHODS OF USING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's February 6, 2008 Office Action rejecting claims 5-12, 17, 19-26, 28-41 and 53-56 in the above-identified application.

Applicants file herewith a petition for a three (3) month extension of time for extending the time for responding to the Office Action.

The Commissioner is hereby authorized to charge the appeal fee in the amount of \$510.00 or any fees required in connection with the papers transmitted herewith, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 22058-544 (AM100664)).

Respectfully submitted,

/David E. Johnson/

Ivor R. Elrifi, Reg. No. 39,529

David E. Johnson, Reg. No. 41,874

Attorneys for Applicants

c/o MINTZ, LEVIN

Tel: (617) 542-6000

Fax: (617) 542-2241

Customer No. 30623

Dated: August 6, 2008